

**GERSTMAN SCHWARTZ<sup>LLP</sup>**  
ATTORNEYS AT LAW

September 30, 2022

**VIA ECF**

The Honorable Vera M. Scanlon  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, 1214 South  
Courtroom 13A—South Wing  
Brooklyn, New York 11201

Re: Birman et al. v. American Airlines Inc. et al., Case No. 1:21-cv-06634-VMS

Dear Judge Scanlon:

We write jointly with Counsel for Defendant American Airlines (“Defendant”) in response to Your Honor’s Order entered on the docket on September 13, 2022, to provide a joint status report.

As the Court is aware, Plaintiffs’ counsel is seeking to withdraw from this matter for the reasons set forth in their letter motion dated September 14, 2022 [see Docket No. 14]. The parties await Your Honor’s determination on this motion and will proceed accordingly. Further, in light of the pending application to be relieved as counsel and the reasons articulated therein, the parties have been unable to complete fact discovery.

We thank the Court for its time, attention, and consideration of this matter.

Respectfully Submitted,

/s/ Randy E. Kleinman  
Randy E. Kleinman  
Counsel for Plaintiffs

cc: All counsel of record (via ECF)

**GERSTMANSCHWARTZ.COM**